



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**REGION 10**  
1200 Sixth Avenue  
Seattle, Washington 98101

Reply To  
Attn Of: ETPA-083

**CERTIFIED MAIL-RETURN RECEIPT REQUESTED**

Robert E. Kerivan, President  
Bridgeview Vineyards, Inc.  
4210 Holland Loop Road  
PO Box 609  
Cave Junction, OR 97523

Re: Robert Edward Kerivan, individually, and d.b.a., Brideview Vineyards, Inc.  
Administrative Complaint  
Docket No. CWA-10-2003-0011

Dear Mr. Kerivan:

Enclosed is a copy of an administrative Complaint that the U.S. Environmental Protection Agency (EPA) has filed against you pursuant to Section 309(g)(2)(B) of the Clean Water Act (Act), 33 U.S.C. § 1319(g)(2)(B). In the Complaint, EPA alleges that you unlawfully discharged dredged and/or fill material into waters of the United States without a permit in violation of Section 301(a) of the Act, 33 U.S.C. § 1311(a). EPA proposes that a penalty of \$25,000 be assessed against you for the violations alleged.

As described more fully in the Complaint, you have the right to request a hearing to contest the factual allegations and/or the penalty proposed in the Complaint. A copy of the Consolidated Rules of Practice in 40 C.F.R. Part 22 (Part 22 Rules), which govern this proceeding, is enclosed. Please note the requirements for filing an Answer in §§22.15 and 22.17. If you wish to contest the allegations and/or the penalty proposed in the Complaint, then within 30 days of receipt of the enclosed Complaint, you must file an Answer with the EPA Regional Hearing Clerk at the following address:

Regional Hearing Clerk  
U.S. Environmental Protection Agency, Region 10  
1200 Sixth Avenue, Mail Stop ORC-158  
Seattle, Washington 98101

If you do not file an Answer within 30 days, you may be held in default. If a default order is

entered against you, then each allegation in the Complaint will be deemed to be admitted as true and you will have waived the right to a hearing or to be notified of any EPA proceedings that occur before a civil penalty may be imposed. Upon default, the Presiding Officer may find you liable for the full civil penalty proposed in the Complaint.

You have the right to be represented by an attorney at any stage of the proceedings, including any informal discussions with EPA. If you have any questions, would like to discuss a settlement of this matter through an informal conference, or would like to receive an extension of the 30-day deadline to file an Answer in order to discuss settlement of this case, please contact Deborah Hilsman, Assistant Regional Counsel, at (206) 553-1810.

Sincerely,

Michelle Pirzadeh, Director  
Office of Ecosystems, Tribal and Public Affairs

Enclosures

cc:

Clarence Greenwood, Esq.

Don Borda, U.S. Army Corps of Engineers, Portland District

Anne Haus, Oregon Division of State Lands

You have the right to be represented by an attorney at any stage of the proceedings, including any informal discussions with EPA. If you have any questions, would like to discuss a settlement of this matter through an informal conference, or would like to receive an extension of the thirty-day deadline to file an Answer in order to discuss settlement of this case, please contact Deborah Hilsman, Assistant Regional Counsel, at (206) 553-1810.

Sincerely,

Michelle Pirzadeh, Director  
Office of Ecosystems, Tribal and Public Affairs

Enclosures

cc:

Clarence Greenwood, Esq.

Don Borda, U.S. Army Corps of Engineers, Portland District

Anne Haus, Oregon Division of State Lands

Name		Hilsman	Silver	Vallette	Roy	Voerman
Initials						
Date						